

Fair Processing Notice –Body Worn Video Devices

Introduction

The South Eastern Health & Social Care Trust has introduced Body Worn Video (BWV) Devices to be worn by Smoke Free Wardens when on duty.

Smoke Free Wardens have a specific role in promoting the Trust Smoke Free Policy; through signposting smokers to cessation opportunities and enforcing the Policy. At times the duties the Wardens perform can put them in confrontational situations where they may be exposed to verbal and physical abuse and accusations of unfair treatment and/or discrimination by members of the public and staff. The Trust has a Duty of Care to its employees to ensure they work in a safe environment. Likewise the Trust also has an obligation to the population it serves that the environment they visit is safe and its employees act in a fair, transparent and courteous manner. The operational use of BWV devices must be proportionate, legitimate and necessary. Authorised Trust officers are required to justify their use of BWV. Only as a last resort will the technology be used to capture data to record & investigate violent or aggressive behaviour.

Personal Information that we process about you is governed by the Data Protection Legislation.

Legal Basis for Processing

The Trust is processing this information in accordance with Article 6(1)e of the General Data Protection Regulation (GDPR) which states:

processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;

What we need

The use of BWV devices may, in the first instance, act as a deterrent but can also provide objective video and audio evidence to assist criminal and internal investigations.

Why we need it

The primary objective of this equipment is to be as a visible deterrent to de-escalate situations arising which have the potential to cause unlawful, unwarranted and unwelcome behaviour. Only as a last resort will the technology be used to capture data to record & investigate violent or aggressive behaviour.

What we do with it

BWV is an overt method of data capture (audio/visual) by which Smoke Free Wardens can obtain and secure evidence at the scene of smoking related incidents which have escalated into unwarranted confrontation which have the potential to lead to actual physical violence or verbal abuse which may constitute a criminal act.

All personal data obtained by virtue of the BWV Devices, shall be processed fairly and lawfully and, in particular, shall only be processed in the exercise of achieving the stated objectives of the system. In processing personal data there will be total respect for everyone's right to respect for his or her private and family life and their home.

The storage of the audio and video data will be strictly in accordance with the requirements of Data Protection Legislation

All audio and video data will be processed in accordance with the following principles.

- i. Personal data will be obtained and processed fairly and lawfully.
- ii. Personal data will be held only for the purposes specified.
- iii. Personal data will be used only for the purposes, and disclosed only to authorised Trust Officers in accordance with existing Trust Procedures or if required to be released to 3rd Parties (such as the PSNI to assist a criminal investigation) it shall be done in accordance with existing Trust procedures and as authorised by the Trust Information Controller.
- iv. Only personal data will be held which are adequate, relevant and not excessive in relation to the purpose for which the data are held.
- v. Personal data will be held for no longer than is necessary and in accordance with existing Trust practices and ICO guidance (*c. 4 weeks 28 days*).
- vi. Individuals will be allowed access to information held about them
- vii. Procedures are in place to ensure data is correctly and safely transferred from the BWV devices onto a secure Trust server in accordance with existing Trust practice.
- viii. Procedures are in place to prevent unauthorised or accidental access to, alteration, disclosure, or loss and destruction of, information.
- ix. Nominated Trust staff at an appropriate grade will upload data and record when data has been captured and uploaded and will advise the Trust Information Officer of such events.
- x. All authorised staff using BWV devices shall undergo training before they operate such devices.



- xi. Only authorised and trained operatives are permitted to use BWV devices and transfer data.

How long we will keep it

The information will be stored on a secure standalone system accessed only by authorised Trust Officers for 28 days, after this period the information will be deleted, unless it is subject to an investigation.

Is information used for any other purpose

The use of BWV devices must be used overtly and compliant with the legislation outlined in the Trust Policy and strictly in accordance with information, instruction and training associated with its lawful use. BWV devices could not for example be used to record private conversations and private activities to which the operator is not a party. Any images or audio recorded in the background will only be considered where a criminal offence has taken place and will not be used outside of this for any unrelated matter.

Who should I contact if I have a query?

In the first instance you should you have further concerns please contact the Trust's Data Protection Officer, Lough House, Ards Community Hospital, 23 Church Road Newtownards, BT23 4AS or via email informationgovernance@setrust.hscni.net or telephone 02891512210.